

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

FRED SPIKES,)	CASE NO. 1:09CV2853
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	
COMMISSIONER OF SOCIAL)	ORDER
SECURITY,)	
)	
DEFENDANT.)	
)	

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge George Limbert (Doc. No. 14) recommending that the above-captioned case be dismissed due to plaintiff’s failure to comply with any of the Magistrate Judge’s case management orders, in particular the Initial Order of December 18, 2009 and the Order to Show Cause of June 8, 2010.

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. [. . .]

28 U.S.C. § 636(b)(1)(C). In this case, the fourteen-day period has elapsed and no objections have been filed. The failure to file written objections to a Magistrate Judge’s report and recommendation constitutes a waiver of a de novo determination by the district court of an issue

covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and accepts the same. Accordingly, the above-captioned case is **DISMISSED**.

IT IS SO ORDERED.

Dated: July 9, 2010



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE